

PEARSON, J.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

RAVON JETER, SR.,)	
)	CASE NO. 4:13CV00896
Plaintiff,)	
)	
v.)	JUDGE BENITA Y. PEARSON
)	
LIEUTENANT SAMPLE,)	
)	<u>MEMORANDUM OF OPINION AND</u>
Defendant.)	<u>ORDER</u> [Regarding ECF No. 34]

Before the Court is the Report and Recommendation of Magistrate Judge Kathleen Burke ([ECF No. 34](#)), filed on February 9, 2015, recommending the Court grant Defendant's Motion for Summary Judgment and deny *pro se* Plaintiff's Motion for Summary Judgment.

The Federal Magistrates Act requires a district court to conduct a *de novo* review only of those portions of a Report and Recommendation to which the parties have made an objection. [28 U.S.C. § 636\(b\)\(1\)\(C\)](#). Parties must file any objections to a Report and Recommendation within fourteen days of service. [Id.](#); [Fed. R. Civ. P. 72\(b\)\(2\)](#). Failure to object within this time waives a party's right to appeal the district court's judgment. [Thomas v. Arn](#), 474 U.S. 140, 145 (1985); [United States v. Walters](#), 638 F.2d 947, 949-50 (6th Cir. 1981). Absent objection, a district court may adopt a magistrate judge's report without review. See [Thomas](#), 474 U.S. at 149.

In the instant case, the parties have not filed objections to the Report and Recommendation. The Court finds that the Report and Recommendation is supported by the record, and agrees with the Magistrate Judge's recommendation.

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Accordingly, the Court adopts the Magistrate Judge's Report and Recommendation. [ECF No. 34](#). Defendant Lieutenant Sample's Motion for Summary Judgment is granted and Plaintiff Ravon Jeter, Sr.'s Motion for Summary Judgment is denied. The Court therefore enters judgment against Plaintiff.

The Court certifies, pursuant to [28 U.S.C. § 1915\(a\)\(3\)](#), that an appeal from this decision could not be taken in good faith, and that there is no basis upon which to issue a certificate of appealability.

IT IS SO ORDERED.

February 27, 2015
Date

/s/ Benita Y. Pearson
Benita Y. Pearson
United States District Judge